

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

KINETIC CONCEPTS, INC.,  
KCI LICENSING, INC., KCI USA, INC.,  
KCI MEDICAL RESOURCES,  
MEDICAL HOLDINGS LIMITED,  
KCI MANUFACTURING and  
WAKE FOREST UNIVERSITY  
HEALTH SCIENCES

Plaintiffs,

vs.

CONVATEC INC.,  
BOEHRINGER WOUND  
SYSTEMS, LLC, and BOEHRINGER  
TECHNOLOGIES, LP

Defendants.

No. 1:08-CV-00918-TDS-WWD

**JOINT STIPULATED SCHEDULING ORDER**

The parties have conferred and stipulate to the following discovery and claim construction schedules:

**1. Fact and Expert Discovery**

- (a) The deadline for leave to amend pleadings and to add parties: November 3, 2009. After this date, the court will grant leave for good cause.
- (b) Close of Fact Discovery: December 3, 2009.
- (c) Expert reports required under Rule 26(a)(2)(A) for any issue on which a party carries the burden of proof shall be served by March 1, 2010.
- (d) Each party shall serve its expert rebuttal reports by March 29, 2010.
- (e) Expert discovery shall be completed on or before April 29, 2010.

2. **Claim Construction Schedule**

- (a) The Parties shall meet and confer concerning the terms and proposed definitions for construction by the Court. By no later than August 24, 2009, the parties shall exchange their disputed terms and proposed definitions.
- (b) Not later than September 14, 2009, Plaintiffs and Defendants shall file their opening claim construction briefs.
- (c) Not later than October 12, 2009, Plaintiffs and Defendants shall file their responsive claim construction briefs.

The Court shall hold a Markman hearing to interpret disputed claim terms on \_\_\_\_\_, 2009.

SO ORDERED:

Date \_\_\_\_\_

\_\_\_\_\_  
Hon. Wallace W. Dixon  
United States Magistrate Judge

CONSENTED TO:

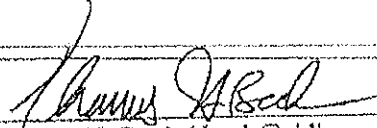
  
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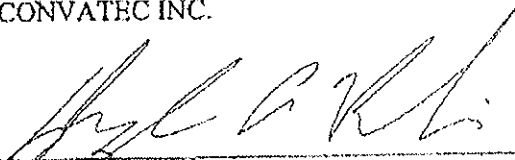
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**Sent:** Sunday, August 16, 2009 11:19 PM  
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**U.S. District Court**

**North Carolina Middle District**

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**Case Name:** KINETIC CONCEPTS, INC. et al v. CONVATEC INC., et al  
**Case Number:** 1:08-cv-918  
**Filer:** CONVATEC, INC.  
 WAKE FOREST UNIVERSITY HEALTH SCIENCES  
 KINETIC CONCEPTS, INC.  
 KCI LICENSING, INC.  
 KCI USA, INC.  
 KCI MEDICAL RESOURCES  
 MEDICAL HOLDINGS LIMITED  
 KCI MANUFACTURING  
 BOEHRINGER WOUND SYSTEMS, LLC  
 BOEHRINGER TECHNOLOGIES, L.P.

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### **Docket Text:**

Rule 26(f) Report (Joint) filed by all parties by KINETIC CONCEPTS, INC., KCI LICENSING, INC., KCI MEDICAL RESOURCES, MEDICAL HOLDINGS LIMITED, KCI MANUFACTURING, KCI USA, INC., WAKE FOREST UNIVERSITY HEALTH SCIENCES, CONVATEC, INC., BOEHRINGER WOUND SYSTEMS, LLC, BOEHRINGER TECHNOLOGIES, L.P..(ROANE, SARAH)

1:08-cv-918 Notice has been electronically mailed to:

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8/20/2009

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